Remarks

In the present office action mailed November 17, 2004, the Examiner allows claims 1, 3, 6-9, 11-14 and 23 and rejects claims 15, 18, 20-22 and 24-26 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,051,945, issued to Furukawa (hereinafter "Furukawa") in view of U.S. Patent No. 5,509,504 issued to McHugh et al. (hereinafter "McHugh").

Applicant acknowledges allowance of the claims. By way of this Response, Applicant amends claims 15 and 24. Applicant believes that the rejected claims in this application, as amended, are in condition for allowance and reconsideration of the application as amended is respectfully requested.

A. Rejections Under 35 U.S.C. §103(a)

The Examiner rejects claims 15, 18, 20-22 and 24-26 under 35 U.S.C. §103(a) as being unpatentable over Furukawa in view of McHugh. The Examiner's proposed combination of references does not teach nor suggest all of the claim limitations as set forth in the claims. As such, Applicant respectfully requests reconsideration of the rejection of the claims as presented in this response.

The combination of references applied by the Examiner does not obviate Applicant's claimed invention. Furukawa discloses and suggests a single sensing device anti-pinch system. Furukawa's anti-pinch detection system requires the Hall effect sensor to be positioned on the rotary shaft of the motor. The sensor detects window position and velocity of the window by measuring motor shaft rotation speed, not a coding arrangement applied directly to the window as claimed by Applicant.

McHugh discloses and suggests a dual sensing device elevator car door anti-pinch system having a magnetic or optical encoder strip disposed on the door which is

monitored by a photodetector to determine the position of the door and a contact pinch condition sensor. However, the McHugh photodetector and optical encoder strip sensing devices provide only position measurements, not pinch condition data, to the controller. The controller must obtain pinch condition sensor information from an independent contact sensor source to stop the travel of the elevator doors.

Furukawa does not contemplate the use of dual sensing devices to detect a pinch condition between the window and window frame. Further, Furukawa teaches away from Applicant's claimed invention, monitoring motor shaft revolutions rather than window position. Conversely, while McHugh monitors window position and detects pinch conditions using a contact sensor source, McHugh does not contemplate the use of a non-contact sensor disposed within the door frame as taught by Applicant. No suggestion exists to motivate one of ordinary skill in the art to combine the McHugh elevator door position system with the Furukawa motor shaft position monitoring system to create Applicant's invention.

The Furukawa/McHugh combination clearly fails to obviate Applicant's claimed invention. Applicant believes that claims 15, 18, 20-22 and 24-26 are patentable over the references combined by the Examiner. Applicant respectfully requests reconsideration of the claims as presented.

B. ***Allowance of Claims***

Applicant acknowledges the allowance of claims 1, 3, 6-9, 11-14 and 23 by Examiner in the present office action.

C. Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in an effort to advance the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is requested to telephone the undersigned at his convenience.

Respectfully submitted,

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